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EXAMINER

LAFORGIA, CHRISTIAN A

ART UNIT PAPER NUMBER

2131

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/610,580

**Applicant(s)**

MURTZA ET AL.

**Examiner**

Christian La Forgia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02 August 2004 has been entered.

2. Claims 1-20 have been presented for examination.

### ***Drawings***

3. The drawings were received on 03 March 2004. These drawings are acceptable.

### ***Specification***

4. The use of the trademarks Cisco, Network Appliance, and Oracle has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

5. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

6. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

***Response to Arguments***

7. In response to applicant's argument that the Kirsch patent fails to disclose the applicant's URL forwarding system, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

8. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., URL forwarding) are not recited in the rejected independent claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

9. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

10. See further rejections that follow.

***Claim Rejections - 35 USC § 103***

11. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

12. Claims 1-5, 10-13, 15-17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,338,082 to Schneider, hereinafter Schneider, in view of U.S. Patent No. 6,321,242 Fogg et al., hereinafter Fogg.

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13. As per claim 1, Schneider teaches a URL processing system, comprising:

a first web server adapted to receive a request for a first URL and return a message associated with the first URL request, the first URL identifying a first IP address of the first web server according to a domain name system (Figure 1 [block 120']; column 9, lines 38-56, i.e. "One aspect of the present invention includes a specific type of server system **120** called a DNS server system **120**' which stores in memory a DNS database **124** having DNS records that translates domain names into IP addresses and vice versa.");

a file server [Figure 1 [block 150], servers that store the web pages] associated with and accessible by the first web server [OR hierarchy of DNS servers (name servers)], the file server adapted to store a plurality of files corresponding to a plurality of URLs, the plurality of URLs associated with a plurality of IP addresses, a first file of the plurality of files is identified by the first URL request and contains a first destination IP address of a first destination server [distributed database (of mappings)], the first web server returning the first destination address as part of the message in response to the first URL request (Figure 1 [blocks 120']; column 9, lines 38-56; column 10, lines 6-29, i.e. "The DNS is a distributed database (of mappings) **124** implemented in a hierarchy of DNS servers (name servers) **120**' and an application-layer protocol that allows hosts and name servers to communicate in order to provide the translation service" and "Instead, the mappings **124** are distributed across many name servers **120**," OR "web pages being retrieved").

14. Schneider does not disclose a second web server associated with the file server, the second web server adapted to receive a request to alter the first destination address within the first file to modify the association between the first URL and the first destination address of the

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first destination server, wherein the request to alter the association between the first URL and the first destination address is provided through a domain management interface having a process for authenticating a user's right to modify contents of the first file.

15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a second web server adapted to receive a request to alter the first destination address within the first file to modify the association between the first URL and the first destination address of the first destination server [Fogg, column 1, line 61 to column 2, line 9, i.e. "...allows web sites to easily update hypertext links in documents on feeder sites to point to new locations for a receiving site document when the document has been relocated. This process is called re-linking"], wherein the request to alter the association between the first URL and the first destination address is provided through a domain management interface [Fogg, Figure 9, column 7, lines 37-63 OR Schneider, Figure 5a, column 13, line 56 to column 14, line 36] having a process of authenticating a user's right [prior permission] to modify contents of the first file [Fogg, column 1, line 61 to column 2, line 9, i.e. "...the feeder Webmaster must manually indicate if the broken link should be updated," "...the feeder Webmaster gives prior permission to receiving site webmasters to automatically update links on feeding sites when a document is moved," and "...a trusted third party acts as an intermediary between the feeding and receiving sites. The third party has prior permission to automatically update feeder document links or URLs."], since Fogg states at column 1, lines 49-65 that such a modification would make updating hyperlinks to documents easier, as well as lowering the number of error messages sent to users thereby minimizing error message traffic on the network.

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16. Regarding claim 2, Schneider teaches wherein a domain name server within a domain name system associates the first URL with the first IP address for the first web server after the request to alter is completed (Figures 5a-5c; column 13, line 56 to column 14, line 36).

17. Regarding claim 3, Fogg teaches wherein the file server stores the plurality of files in a directory format organized according to the names of the plurality of files, the names comprising URL data identifying the URLs designated for URL forwarding (Figures 2 [block 210], 3b, 4 [blocks 400, 410, 420, 430], 7 [blocks 700, 710]; column 4, line 59 to column 5, line 20; column 6, lines 42-58).

18. With regards to claim 4, Schneider and Fogg do not disclose wherein the URL data comprises domain names and the directory organizes the plurality of files according to alphabetic ordering of the domain names.

19. It would have been obvious to one of ordinary skill in the art to store the files in alphabetical order, since it has been held that it only requires ordinary skill in the art to organize the domains in alphabetical order for aesthetic purposes, see *In re Seid*, 161 F.2d 229, 231, 73 USPQ 431, 433 (CCPA 1947). See MPEP § 2144.04.

20. With regards to claim 5, Schneider teaches wherein the plurality of files are stored in a common file space of an array of hard disks (column 9, lines 38-56; column 10, lines 6-29, i.e. “The DNS is a distributed database (of mappings) 124 implemented in a hierarchy of DNS servers (name servers) 120”).

21. Regarding claim 10, Schneider teaches wherein the domain management interface includes a browser (Figures 5a-5c; column 13, line 56 to column 14, line 36).

22. Regarding claims 11, 15, and 19, Schneider teaches wherein the domain management interface includes a browser having an active domain name designated in the browser, wherein URL forwarding is selected through a hyperlink (Figures 5a-5c; column 13, line 56 to column 14, line 36).

23. Regarding claims 12, 16, and 20, Schneider teaches wherein the second web server is a registrar web server (Figures 5a-5c; column 13, line 56 to column 14, line 36).

24. Regarding claim 13, Fogg teaches wherein when the second web server alters the first destination address within the first file to modify the association between the first URL and the first destination address of the first destination server, no message is communicated to a domain name system (Figure 5, column 5, line 42 to column 6, line 13).

25. Regarding claim 17, Schneider teaches wherein the response is a web page stored on the first destination server (column 10, lines 6-29).



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26. Claims 6-9, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider in view of Fogg as applied to claim 1 above, and further in view of U.S. Patent No. 5, 751, 956 to Kirsch, hereinafter Kirsch.

27. Regarding claim 6, Schneider and Fogg do not teach wherein the first file includes advertising information specifying whether advertising is to be added to the response to the first URL request, the first destination server adding advertising to the response according to the advertising information.

28. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the first file to include advertising information specifying whether advertising is to be added to the response to the first URL request, the first destination server adding advertising to the response according to the advertising information [Kirsch, column 7, line 42 to column 8, line 2], since Kirsch states at column 2, lines 47-61 that such a modification would enable the tracking of information from a client browser when a hyper-linked advertiser's URL is clicked or selected.

29. With regards to claim 7, Kirsch teaches wherein the advertising is provided in a frame of a framed web page (column 7, line 42 to column 8, line 2).

30. With regards to claim 8, Kirsch teaches wherein advertising is selectively added or not added according to the advertising information (column 7, line 42 to column 8, line 2).

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31. Regarding claim 9, Schneider and Fogg do not teach wherein the first destination server returns the response without adding advertising in response to information in the first file.

32. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the first destination server returns the response without adding advertising in response to information in the first file [Kirsch, column 7, line 42 to column 8, line 2], since Kirsch states at column 2, lines 47-61 that such a modification would prevent advertisements from being served more than other advertisements.

33. With regards to claims 14 and 18, Schneider and Fogg do not teach wherein the first file includes advertising information specifying whether advertising is to be added to the response to the first URL request, the first destination server adding advertising to the response according, to the advertising information.

34. It would have been obvious to one of ordinary skill in the art at the time the invention was made for the first file ton include advertising information specifying whether advertising is to be added to the response to the first URL request, the first destination server adding advertising to the response according, to the advertising information [Kirsch, column 7, line 42 to column 8, line 2], since Kirsch states at column 2, lines 47-61 that such a modification would enable the tracking of information from a client browser when a hyper-linked advertiser's URL is clicked or selected.

### ***Conclusion***

35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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36. The following patents are cited to further show the state of the art with respect to URL forwarding systems, such as:

United States Patent No. 6,092,100 to Berstis et al., which is cited to show resolving entry of an incorrect URL.

United States Patent No. 6,408,296 to Acharya et al., which is cited to show enhancing access to a file.

United States Patent No. 6,189,030 to Kirsch et al., which is cited to show redirection of server external hyper-link references.

United States Patent No. 6,606,653 to Ackermann, Jr. et al., which is cited to show updating of embedded links in a WWW source page to have new URLs of their linked target web pages after such target web pages have been moved.

United States Patent No. 6,725,406 to Kelley, which is cited to show controlling web applications from redirecting a client to another web addresses.

United States Patent No. 6,826,624 to Fell, Jr., which is cited to show network resource access request redirection.

37. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian La Forgia whose telephone number is (571) 272-3792. The examiner can normally be reached on Monday thru Thursday 7-5.

38. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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39. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christian LaForgia  
Patent Examiner  
Art Unit 2131

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12/29/04